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7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOHN DOSER,

15 Defendant.
16

Case No. 1:22-cr-00221

STIPULATION TO MODIFY A CONDITION
OF PROBATION PURSUANT TO 18 U.S.C.
§§ 3563(C) AND 3564(D); ~~PROPOSED~~
ORDER

17 **IT IS HEREBY STIPULATED**, by and between the parties, through their respective
18 counsel, Assistant United States Attorney Chan Hee Chu, counsel for the plaintiff, and Assistant
19 Federal Defender Laura Myers, counsel for John Doser, that the Court may modify condition #5
20 to give Mr. Doser a deadline of January 26, 2024, to complete the three-month DUI Program;
21 and modify condition #6 to continue the review hearing to February 6, 2024.

22 On February 7, 2023, this Court sentenced Mr. Doser after he pled guilty to driving with
23 a suspended or revoked license, in violation of 43 C.F.R. § 8341.1(d), incorporating Calif. Vehic.
24 Code § 14601.2. The Court imposed a 12-month term of probation with an expiration date of
25 February 28, 2024. Pursuant to condition #5 of Mr. Doser's probation, he must "complete a
26 Three (3) Month DUI Offender Program through the California Department of Motor Vehicles."
27 ECF #21 at 2. Pursuant to condition #6, Mr. Doser "is ordered to personally appear for Probation
28 Review Hearing on 10/3/2023 at 10:00 a.m." and submit a status report seven days prior. *Id.*

1 This Court also ordered Mr. Doser to pay a fine of \$900 and a special assessment of \$25.

2 Mr. Doser attempted to enroll in a DUI Program at Traffic and Alcohol Awareness
3 School of Kern (T.A.A.S.K.) but was informed that condition #5, as written in the judgment, was
4 not sufficient because it did not provide a deadline for completion of the DUI course. For that
5 reason, the parties request that this Court modify condition #5 to require proof of completion of
6 the three-month DUI course by January 24, 2024. The parties further request that this Court
7 modify condition #6 to schedule Mr. Doser's review hearing for February 6, 2024.¹ These dates
8 will provide Mr. Doser with enough time to complete the DUI program and for this Court to
9 review his progress before his one-year term of probation is set to expire at the end of February.

10 Mr. Doser is in compliance with all other conditions of probation and has fully paid the
11 \$925 fine set out in condition #4.

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13 Respectfully submitted,

14 PHILLIP A. TALBERT
15 United States Attorney

16 Date: September 19, 2023

17 /s/ Chan Hee Chu
18 CHAN HEE CHU
Assistant United States Attorney
Attorney for Plaintiff

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20 HEATHER E. WILLIAMS
Federal Defender

21 Date: September 19, 2023

22 /s/ Laura Myers
23 LAURA MYERS
Assistant Federal Defender
Attorney for Defendant
24 JOHN DOSER

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28 ¹ February 6, 2024, is the first Tuesday in February, and so the parties are presuming that this Court's regular
misdemeanor calendar will be scheduled for that date.

ORDER

IT IS SO ORDERED. Pursuant to 18 U.S.C. §§ 3563(c) and 3564(d), the Court hereby modifies probation conditions 5 and 6 as follows:

5. The defendant shall complete a three (3) month DUI Offender Program through the California Department of Motor Vehicles, at T.A.A.S.K. in Kern County, no later than January 24, 2024.

6. The defendant is ordered to personally appear for a Probation Review Hearing on February 6, 2024, at 10:00 a.m. before U.S. Magistrate Judge Christopher D. Baker. A status report regarding the defendant's performance on probation shall be filed 7 days prior to the Probation Review.

All other conditions previously imposed remain in full force and effect.

IT IS SO ORDERED.

Dated: **September 21, 2023**


UNITED STATES MAGISTRATE JUDGE